

TEMPORARY

AMENDED

NO. 72385-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 17 2005

Returned to applicant for correction MAR 29 2005

Corrected application filed APR 20 2005

Map filed JUL 14 1978 under 27664

The applicant **State Nevada c/o Division of State Lands**, hereby make application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Permit #35627, cert. #10437**

1. The source of water is **Underground**
2. The amount of water to be changed **.25 cfs 180.95 acre feet**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation & domestic**
5. The water is to be diverted at the following point in the **SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 T17N., R24E., M.D.B.&M.**, from which the northeast corner of said Section 35 bears North 31 degrees 31' 51" E., 1663.62 feet. Use map under 27664.
6. The existing permitted point of diversion is located within **NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T16N., R24E., M.D.B.&M.** or at a point from which the NW corner of said section 1 bears N. 68 degrees 17' W., at a distance of 2,236.0 feet. See map under 35627
7. Proposed place of use **NE $\frac{1}{4}$ NE $\frac{1}{4}$ (7 acres), Section 35 T.17N. R.24E. M.D.B.&M. N $\frac{1}{2}$ NW $\frac{1}{4}$ (50 acres), S $\frac{1}{2}$ NW $\frac{1}{4}$ (13 acres), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (21 acres), Section 36 T.17N. R.24E. M.D.B.&M. (Supplemental) SW $\frac{1}{4}$ NW $\frac{1}{4}$ (5 acres), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (8 acres), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (9 acres), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (12 acres), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (22 acres), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (3 acres, Section 36 T.17N. R.24E., M.D.B.&M. (non-supplemental) Total 150 acres**
8. Existing place of use **NE $\frac{1}{4}$ NW $\frac{1}{4}$ (15 ac.), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (32 ac.), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (21 ac.) Section 1. T16N., R24E., M.D.B.&M. NW $\frac{1}{4}$ NW $\frac{1}{4}$ (12 ac.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (18 ac.) NW $\frac{1}{4}$ NE $\frac{1}{4}$ (28 ac.), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (24 ac.), Section 6 T16N., R25E., M.D.B.&M. Total acres 150. See map under 35627. (Cert. #10437 is in error based on PBU map, cert 10437 states "NW $\frac{1}{4}$ NW $\frac{1}{4}$ " (32 acres)**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works. **Existing well, pumping into existing ditch**
12. Estimated cost of works **0**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **N/A**

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15. Remarks: Water to be used on property leased from the United States Fish & Wildlife Service, special use permit #0434. Land is leased without water rights. 91 acres supplemental to Carson River. 59 acres to stand alone.

By Eric Johnson
s/Eric Johnson
16799 Carson Hwy
Fallon, NV. 89406

Compared dl/gkl lt/gkl

Protested:

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35627, Certificate 10437 is issued subject to the terms and conditions imposed in said Permit 35627, Certificate 10437 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued with the understanding that 53 acres in the proposed place of use are supplemental to surface water rights under Claim 784 of the Alpine Decree.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on December 31, 2005 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.25 cubic feet per second, not to exceed 180.95 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29th day of June A.D. 2005


State Engineer



